

Montana State Legislature

2015 SESSION

ADDITIONAL DOCUMENTS

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[Signed by Chairman]

Roll Call

Standing Committee Reports

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Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

Montana Historical Society Archives

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2015 Legislative

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BUSINESS REPORT
MONTANA SENATE
64th LEGISLATURE - REGULAR SESSION
SENATE JUDICIARY COMMITTEE

Date: Thursday, March 5, 2015
Place: Capitol

Time: 10:00 A.M.
Room: 303

BILLS and RESOLUTIONS HEARD:

HB 203 - Prohibit enforcement of new federal gun laws - Rep. Art Wittich
HB 204 - Revising laws relating to liability waivers and releases - Rep. Greg Hertz
HB 258 - Authorize benefits corporations - Rep. Kathleen Williams

EXECUTIVE ACTION TAKEN:

Comments:


SEN. Scott Sales, Chair

MONTANA STATE SENATE

2015 JUDICIARY COMMITTEE

ROLL CALL

DATE: 3/5/15

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR SCOTT SALES	—	
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—	
SENATOR DIANE SANDS	✓	
SENATOR ROBYN DRISCOLL		—
SENATOR KRISTEN HANSEN		—
SENATOR JEDEDIAH HINKLE	—	
SENATOR DOUG KARY	—	
SENATOR CLIFF LARSEN	—	
SENATOR MARY MCNALLY	—	
SENATOR MARY SHEEHY MOE		—
SENATOR NELS SWANDAL	—	
SENATOR CHAS VINCENT	—	

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Thursday, March 5, 2015

HB 258 - Authorize benefits corporations

Sponsor: Rep. Kathleen Williams

PLEASE PRINT

Name	Representing	Support	Oppose	Info
RICK EDWARDS	MEBA	✓		
Jim Tucker	CITIZEN	✓		
Kes Hamer	Treasure State Internet	✓		
CHAD OSTER	WESTPAW DESIGN	✓		
Brendon Johnson	West Paw Design	✓		
Christien Dietrich	n/a	✓		
Bill Stoddart	North Fork Financial	✓		
STUART LEIDNER	Prosperia Business Network	✓		
JEFF BATTON	Greensboro Growth Partners	✓		
Jim Busby	MT Sec of State			X
Glen Opper	MT Chamber	X		
Patricia Wirth	DRA, Montana DRA, Rocking Z	X		
DAVE LEISHMAN	Bar W Guest Ranch/MT RPPA	X		
Kelley Hubbard	Office of Consumer protection			X
Liz Moore	MT Nonprofit Assoc			X
Ed BARTLEY	BILLINGS CHAMBER	X		
WILLIAM CLARK	INFORMATIONAL			X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Thursday, March 5, 2015

HB 204 - Revising laws relating to liability waivers and releases

Sponsor: Rep. Greg Hertz

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Riley Johnson	NFIB	X		
Mike Jeffords	RCOROA	X		
Joe Perry	Laurel Reel		X	
JOHN BORTONE	ILSA			
Coleen Appel	MT Chamber	X		
Jim Tucker	Sevenson Law & Sons	X		
Donna McDonald	Outfitter	X		
JAMES SATLER	CB 12 Satler Insurance	X		
John Richardson	outfitter	X		
MAC MINARD	MOGA	X		
KATTABOR	MTRPPA	X		
Stuart Duggel	MT Lodging & Hospitality Assoc.	X		
Steve Warr	MMIA	X		
Ed BARTLETT	BOZEMAN CHAMBER	X		
Shane Morigan	CSKT	X		
Dave Leshman	Bar W Guest Ranch / MTRPPA	X		
Bob Jordan	Activities Unlimited, Inc	X		
Kinda Wiggers	Helena Chamber of Comm	X		
Nicole Rolf	MFBE	X		
Amee Gemeser	MSAA	X		
GARY MARKBUT	MSA	X		
Aidan Myhre	Kalispell Chamber	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
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Thursday, March 5, 2015

HB 204 - Revising laws relating to liability waivers and releases

Sponsor: **Rep. Greg Hertz**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE JUDICIARY COMMITTEE

Sponsor: Rep. Art Wittich

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Date: 3/5/15
Bill No. HB204

To: Members of the Senate Judiciary Committee

From: Doug Averill, owner-operator Flathead Lake Lodge in Bigfork

Please include my testimony for House Bill 204 which gives teeth to liability waivers - an important tool for sustaining Montana's 2nd largest industry.

Flathead Lake Lodge is a 70 year old family business that faces liability challenges every day in dealing with hospitality clients.

Outdoor recreation is the cornerstone to Montana's Tourism. This Industry is experiencing difficulty due to outrageous liability insurance costs and often frivolous threat of litigation Vacationers are lured to Montana to enjoy a high level of adventure which has an inherent risk of injury.

HBill 204 is about more than dude ranches and outfitters; it encompasses all who use Montana, including: non profits, churches, schools, parks, fairs, major sporting events and more.

Montana is trailing behind 47 other states who recognize the value of (inherent risk forms) to support their businesses. This puts Montana's Recreation Industry at an extreme disadvantage.

Montana needs an acknowledgement of risk agreement to help operators feel confident they can provide the quality experience guests demand, rather than trying to operate with one hand tied behind their back.

Montana, by comparison, has high insurance costs and limited insurance providers. Passing Bill 204 is one step in leveling the field for competitive insurance pricing and liability protection. This legislature must act so businesses can continue to preserve Montana's legacy of the Wild West.

In recent years, I have seen too many ranches, family businesses, and hospitality properties give up - due to difficult liability pricing, liability challenges. Let's work closely together for retention of existing businesses. House Bill 204 would help preserve the travel industry in our great State and sustain our western lifestyle.

Thank you for paying close attention to this important Bill.

Sincerely,
Doug Averill

Additional Document

SENATE JOURNAL

Date: _____

Bill No. _____